

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

USA

Plaintiff,

v.

No. 3:07-mj-119

Evereth Lopez-Garcia aka
Fanor Lopez- Garcia aka
Eloy Villanueva-Lopez aka
Heber Alberto Lopez-Garcia
aka Everch Lopez-Garcia

Defendant.

CLERK'S MINUTES OF PROCEEDINGS Initial Appearance on Criminal Complaint

The Hon. Karen K Klein

Date: Friday, Dec. 7, 2007

Fargo, North Dakota

Time: 4:50pm

Court Reporter: Kelly Kroke

Recess: 5:00pm

Interpreter: L.S.

Law Clerk: Nancy Morris

Clerk: JoAnn Ordahl

USPO: Donna Urff

Appearances: AUSA Chris Myers for Nick Chase

Attorney Rick Henderson FPD

Defendant was arrested by Border Patrol;

Interpreter has read the charges in Spanish prior to the hearing;

Court advises the defendant of his rights and right to counsel;

Court explains to the defendant the Grand Jury process and formal charges called an Indictment;

Defendant has a right to a preliminary hearing within 10 days from today or you can give up that right to a preliminary hearing.

Defendant is advised he can give up his right to the Grand Jury process and proceed on the Government's document;

Government moves for detention based on risk of flight and danger to community;

Pretrial services has not interviewed defendant;

Detention hearing set for Tuesday, December 11, 2007 at 3:30pm;

Court explains to the defendant he must remain in jail pending the detention/preliminary hearing;

Order of Temporary Detention will be entered;